

## **REMARKS**

The Applicants appreciate the Examiner's thorough examination of the application and request reexamination and reconsideration in view of the preceding amendments and following remarks.

### **Status of the Claims**

By this amendment, claims 50, 51, 60, 71 and 73 have been cancelled without prejudice; claims 32, 33, 47, 52, 54, 59, 63, 67, 68, 70, 72, 74, 75, 78 and 79 have been amended; and claims 81-83 have been added. Thus, claims 32-49, 52-59, 61-70, 72, and 74-83 are now pending in the application.

### **Claim Rejections – 35 USC § 112**

Claim 54 stands rejected under 35 USC § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention; specifically, claim 54 was dependent upon itself. To address this rejection, Applicants have amended claim 54 to depend on claim 53. Accordingly, withdrawal of this rejection is respectfully requested.

### **Claim Rejections – 35 USC § 102 & 103**

Claims 47, 48, 50, 53, 54, 57 and 58 stand rejected under 35 USC § 102(b) as being anticipated by Federico et al. (US 5,630,253) and claim 70 as being anticipated by Tubman (US 6,182,322). Additionally, claims 49, 56, 59, 61, 64 and 65 stand rejected under 35 USC § 103(a) as being unpatentable over Federico et al. and claims 78 and 79 as being unpatentable over Tubman in view of Federico et al.

To address the 35 USC § 102(b) rejections, Applicants have amended claim 47 (the base claim) to include all of the limitations of former claims 50 and 51 (which have been cancelled). This is in connection with the Examiner's suggestion of amending claim 51 (deemed allowable if amended) to include all of the limitations of the base claim (claim 47) and any intervening claims (claim 50). Claims 48, 49 and 52-58 now depend either directly or indirectly from claim 47, which has been amended in connection with the Examiner's suggestion.

To address the 35 USC § 103(a) rejections, Applicants have amended claim 59 (the base claim) to include all of the limitations of former claim 60 (which has been cancelled). This is in connection with the Examiner's suggestion of amending claim 60 (deemed allowable if amended) to include all of the limitations of the base claim (claim 59) and any intervening claims (none). Claims 61-69 now depend either directly or indirectly from claim 59, which has been amended in connection with the Examiner's suggestion. Furthermore, claim 70 (the base claim) has been amended to include all of the limitations of former claims 71 and 73 (which have been cancelled). This is in connection with the Examiner's suggestion of amending claims 71 and 73 (deemed allowable if amended) to include all of the limitations of the base claim (claim 59) and any intervening claims (none). Claims 72 and 74-79 now depend either directly or indirectly from claim 70, which has been amended in connection with the Examiner's suggestions.

In view of the abovementioned amendments, Applicants respectfully submit that independent claims 47, 59 and 70, which have been amended in connection with the Examiner's suggestions on page 5 of the office action (i.e., include limitations from

allowable dependent claims and intervening claims), and the remaining dependent claims, which depend either directly or indirectly from said independent claims, are now in condition for allowance. Withdrawal of these rejections is respectfully requested.

*Further Amendments and Added Claims*

Claims 32 and 33 have been amended such that the element "sleeve-shaped ejection mechanism" has been renamed "sleeve-shaped ejection member." Applicants submit that this is a minor amendment to simplify verbiage that does not introduce new matter into the application.

Claims 52, 54, 63, 67, 68, 72, 74 and 75 have been amended to correct the claim numbers referenced therein so that proper dependency is provided in view of the current amendment. No new matter has been added by these corrections.

Claims 78 and 79 have been amended to correct a minor typographical error. Accordingly, the word "head" (which through error was omitted) has been inserted after "brush" in reference to the fact that said claims are referring to "brush head" and not "brush." No new matter has been added by these amendments.

Claims 80-83 have been added. Applicants wish to point out to the Examiner that these are not "new" claims, as said claims are in fact derived from claims that have been amended according to the Examiner's suggestions on page 5 of the office action. Accordingly, claim 80 is comprised of former claim 55 amended to include all of the limitations of its base claim (former claim 47) and its intervening claim (former claim 53); claim 81 is comprised of former claim 66 amended to include all of the limitations of its base claim (former claim 59) and its intervening claim (former claim 64); claim 82 is

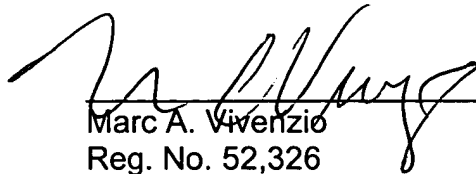
comprised of former claim 76 amended to include all of the limitations of its base claim (former claim 70); and claim 83 is comprised of former claim 77 amended to include all of the limitations of its base claim (former claim 70). Applicant believes that said claims are in condition for allowance as they derive from claims deemed allowable as amended in accordance with the Examiner's suggestions.

### **CONCLUSION**

For all the reasons advanced above, Applicants respectfully submit that the application is in proper condition for allowance and that action is earnestly solicited. Reexamination and reconsideration are, therefore, respectfully requested.

Attached hereto is a marked-up version of the changes made to the specification and claims by the current amendment. The attached page is captioned "**Version with Markings to Show Changes Made.**"

Respectfully Submitted  
LORUSSO LOUD & KELLY LLP



Marc A. Vivenzio  
Reg. No. 52,326

Dated: June 10, 2003  
440 Commercial Street  
Boston, MA 02109  
Tel.: (617) 227-0700  
Fax.: (617) 723-4609

**Version with Markings to Show Changes Made**

**In the Claims:**

Claims 32, 33, 47, 52, 54, 59, 63, 67, 68, 70, 72, 74, 75, 78 and 79 have been amended as follows:

32. (Amended) A brush, in particular a toilet brush, comprising a disposable one-way brush head, a brush head holder with a handle, the brush head being detachably mounted to the brush head holder under friction closure, and an ejection mechanism for the brush head, the ejection mechanism comprising a sleeve-shaped ejection ~~mechanism~~ member movable along the brush head holder, an actuator element movably arranged on the handle, and a motion transfer element between the actuator element and the sleeve-shaped ejection ~~mechanism~~ member, wherein the motion transfer element extends in the interior of the handle.
33. (Amended) The brush according to claim 32, wherein the brush head holder comprises oblong slots and the motion transfer element comprises a connection element movable in the brush head holder, the sleeve-shaped ejection ~~mechanism~~ member being connected to the connection element via a bolt sliding in the slots.
47. (Amended) A brush, in particular a toilet brush, comprising a brush head and a brush head holder with a handle featuring a bend, the brush head being detachably mounted ~~on to~~ to the brush head holder, ~~wherein the handle features a bend under friction closure, and an ejection mechanism for the brush head, wherein the ejection mechanism comprises a sleeve-shaped ejection member movable by means of an actuator element.~~

52. (Amended) The brush according to claim ~~54~~ 47, wherein the actuator element is connected with the ejection mechanism via a wire.
54. (Amended) The brush according to claim ~~54~~ 53, wherein the brush head is made of paper.
59. (Amended) A brush, in particular a toilet brush, comprising a brush head ~~and~~, a brush head holder with a handle, the brush head being detachably mounted ~~on~~ to the brush head holder comprising under friction closure, and an ejection mechanism for the brush head, wherein the handle is being composed of several parts cemented together, wherein said several parts comprise a grip part, a cone part a connection tube, a connection part, the connection part being connected with the brush head holder, an actuator element movably arranged on the grip part, and a motion transfer element between the actuator element and the ejection mechanism, the motion transfer element being slidingly arranged in the connection tube.
63. (Amended) The brush according to claim ~~60~~ 59, wherein the connection tube comprises a bend.
67. (Amended) The brush according to claim ~~60~~ 59, wherein the brush head is made of water-soluble plastic.
68. (Amended) The brush according to claim ~~60~~ 59, wherein the brush head is impregnated with at least one agent.

70. (Amended) A disposable brush head for a toilet brush with a brush head holder, the brush head being detachably mountable to the brush head holder under friction closure, ~~wherein~~ the brush head ~~comprises~~ comprising bristles arranged in a receiving sleeve, the receiving sleeve being mountable to the brush head holder, wherein the bristles and the receiving sleeve are made of degradable material.
72. (Amended) The brush head according to claim ~~74~~ 70, wherein the bristles are made of paper.
74. (Amended) The brush head according to claim ~~73~~ 70, wherein the receiving sleeve is made of paper.
75. (Amended) The brush head according to claim ~~73~~ 70, wherein the receiving sleeve is designed as a hollow cylinder mountable to a cylindrical end section of the brush head holder.
78. (Amended) The brush head according to claim 70, wherein the brush head is impregnated with at least one agent.
79. (Amended) The brush head according to claim 78, wherein the agent is selected from the group consisting of a cleaning agent, a disinfecting agent and a scent agent.